

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF ALABAMA

**UNITED STATES OF AMERICA  
V.**

**JUDGMENT IN A CRIMINAL CASE**  
(For Offenses Committed On or After November 1, 1987)

**M & B BUILDERS, LLC**

CASE NUMBER: **1:11-CR-00250-001**  
USM NUMBER:

**THE DEFENDANT:**

**Donald M. Briskman, Esquire**  
**Defendant's Attorney**

- ☒ pleaded guilty to counts 1 & 2 of the Information on 10/14/2011.  
☐ pleaded nolo contendere to count(s)    which was accepted by the court.  
☐ was found guilty on count(s)    after a plea of not guilty.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offenses:

<b><u>Title &amp; Section</u></b>	<b><u>Nature of Offense</u></b>	<b><u>Date Offense Concluded</u></b>	<b><u>Count Nos.</u></b>
15 USC § 1	Conspiracy to suppress and eliminate competition by rigging bids for the purchase of real estate at public foreclosure auctions.	08/31/2007	1
18 USC § 1349	Participating in a conspiracy to commit mail fraud in relation to real estate foreclosure auctions.	08/31/2007	2

**The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.**

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

January 19, 2012

Date of Imposition of Judgment

/s/ Callie V. S. Granade

UNITED STATES DISTRICT JUDGE

January 20, 2012

Date

AO 245B (Rev. 06/05) Judgment in a Criminal Case: Sheet 5, Part A - Criminal Monetary Penalties

Defendant: **M & B BUILDERS, LLC**Case Number: **1:11-CR-00250-001****CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<b>Assessment</b>	<b>Fine</b>	<b>Restitution</b>
<b>Totals:</b>	<b><u>\$800.00</u></b>	<b><u>\$250,000.00</u></b>	<b><u>\$18,345.20</u></b>

☐ The determination of restitution is deferred until \_\_\_\_\_. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such a determination.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below. (or see attached) However, pursuant to 18 U.S.C. § 3644(i), all non-federal victims must be paid in full prior to the United States receiving payment.

☒ The defendant shall make restitution (including community restitution) to the following payees in the amounts listed below.

<b><u>Names and Addresses of Payees</u></b>	<b><u>Amount of Restitution Ordered</u></b>	<b><u>Priority Order or % of Payment</u></b>
Credit One, LLC, File #43144524 Attn: Michael Blacklock 3619 18 <sup>th</sup> Street Metairie, LA 70002	\$6,007.20	

(See attachment for additional payees and for total.)

☒ If applicable, restitution amount ordered pursuant to plea agreement. **\$18,345.20**

☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ The interest requirement is waived for the ☐ fine and/or ☐ restitution.

☐ The interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

AO 245B (Rev. 06/05) Judgment in a Criminal Case: Sheet 5, Part B - Schedule of Payments

Defendant: **M & B BUILDERS, LLC**Case Number: **1:11-CR-00250-001****SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A** ☒ Lump sum payment of \$ **269,145.20** due immediately, balance due  
☐ not later than \_\_\_\_\_, or ☒ in accordance with ☐ C, ☐ D, ☐ E or ☒ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☐ E or ☐ F below); or
- C** ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in \_\_\_\_\_ (e.g., equal, weekly, monthly, quarterly) installments of \$ \_\_\_\_\_ over a period of \_\_\_\_\_ (e.g., months or years), to commence \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within \_\_\_\_\_ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ **Special instructions regarding the payment of criminal monetary penalties: The special assessment amount is due in full immediately. The restitution amount is payable in full before the fifteenth (15<sup>th</sup>) day after judgment is entered. The fine is to be paid in installments of \$25,000.00, plus any accrued interest, beginning fifteen (15) days after entry of judgment, and on the following dates: March 30, 2012; June 29, 2012; September 28, 2012; December 31, 2012; March 29, 2013; June 28, 2013; September 30, 2013; December 31, 2013; and March 31, 2014. All criminal monetary penalties are to be paid through the Clerk, U. S. District Court.**

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are to be made to the clerk of court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several:
- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

**Payments shall be applied in the following order: (1) assessment; (2) restitution principal; (3) restitution interest, (4) fine principal; (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.**

AO 245B (Rev. 06/05) Sheet 5, Part A – Continued – Criminal Monetary Penalties

Defendant: **M & B BUILDERS, LLC**Case Number: **1:11-CR-00250-001****ADDITIONAL RESTITUTION PAYEES**

<b><u>Names and Addresses of Payees</u></b>	<b><u>Amount of Restitution Ordered</u></b>
Michael A. Brown (address on file in PSI)	\$ 4,733.00
Dovenmuehle Mortgage, Inc. c/o Longshore, Buck & Longshore, P.C. 2009 Second Avenue North Birmingham, AL 35230	\$ 2,139.00
Southern Medical Business Services File #00-33134 c/o Stokes & Clinton, P.C. Mobile, AL 36691	\$ 1,666.00
Estate of Willie Nobles, Jr. c/o Creola G. Ruffin, Esquire P.O. Box 40404 Mobile, AL 36640	\$ 2,950.00
Larry L. Sanders (address on file in PSI)	\$ 425.00
Genevia E. Gwinn (address on file in PSI)	\$ 425.00
TOTAL:	\$18,345.20